

McDERMOTT, WILL & EMERY
 4370 La Jolla Village Drive
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 San Diego, CA 92122
 858-535-9001

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FROM: David A. Gay **Direct Phone:** (858) 643-1411**E-Mail:** dgay@mwe.com**Sent By:** Carrie E. Casey **Direct Phone:** (858)643-1432**Client/Matter/Tkpr:** 66661-028 **Original Follow by Mail:** No**Number of Pages, Including Cover:** 14**Re:** United States Patent Application No.: 09/823,850Entitled: METHODS FOR DETERMINING THE TRUE
SIGNAL OF AN ANALYTE

Inventors: Ideker et al.

Filed: March 20, 2001

UW Ref.: 2478-3150-3814PT

Client-Matter No. 66661-028

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Jose R. Lopez, Jr.

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JUL 09 2004

Docket No.: 066661-0028

OFFICE

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****RESPONSE UNDER 37 CFR 1.116
EXPEDITED PROCEDURE**

In re Application of : Customer Number: 41552
Ideker et al. : Confirmation Number: 7007
Serial No.: 09/823,850 : Group Art Unit: 1631
Filed: March 30, 2001 : Examiner: M. Zeman

For: TESTING FOR DIFFERENTIALLY-EXPRESSED GENES BY MAXIMUM
LIKELIHOOD ANALYSIS OF MICROARRAY DATA

RESPONSE TO ADVISORY ACTION**CERTIFICATE OF FACSIMILE TRANSMISSION**

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Jose R. Lopez, Jr.
Jose R. Lopez, Jr.

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Advisory Action mailed June 23, 2004, as requested therein, Applicant is providing the examiner with a complete copy of the response filed on May 4, 2004. As indicated in the Action at page 2, a complete copy of the attached papers would appear to obviate all rejections of record.

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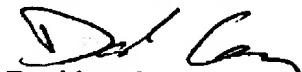
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Serial No.: 09/823,850

Because a further copy of Applicant's response filed May 4, 2004, is being supplied at the Office's request and due to no fault of the Applicant, no extension of time is deemed necessary. However, to the extent required, Applicant hereby petitions for an extension of time under 37 C.F.R. 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 502624 and please credit any excess fees to such deposit account.

Respectfully submitted,

MCDERMOTT WILL & EMERY LLP



David A. Gay
Registration No. 39,200

4370 La Jolla Village Drive, Suite 700
San Diego, CA 92122

858.535.9001 DAG:jrl
Facsimile: 858.597.1585
Date: June 9, 2004

JUL 09 2004

PATENT
Client-Matter No.: 66661-028

**RESPONSE UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1631**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Ideker et al.

Serial No.: 09/823,850

Filed: March 30, 2001

For: METHODS FOR DETERMINING
THE TRUE SIGNAL OF AN ANALYTE

) Confirmation No.: 7007

) Group Art Unit: 1631

) Examiner: M. Zeman

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Sir:

RESPONSE TO OFFICE ACTION

Responsive to the Final Office Action mailed January 29, 2004, consideration of
the following remarks is respectfully requested.

Remarks begin on page 2 of this paper.